

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

ABF FREIGHT SYSTEM, INC.

Plaintiff

V.

MATTHEW EUGENE CASWELL

Defendant

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NO: 4:14CV00013 SWW

ORDER

Now before the Court is Plaintiff's notice of voluntary dismissal [ECF No. 3]. Plaintiff filed this action on January 9, 2014, and Defendant has not been served and has not entered an appearance in this case. Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiff is entitled to voluntarily dismiss this action, without prejudice.

IT IS THEREFORE ORDERED that this action is DISMISSED WITHOUT PREJUDICE pursuant to Plaintiff's notice of voluntary dismissal.

IT IS SO ORDERED THIS 13TH DAY OF JANUARY, 2014.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE